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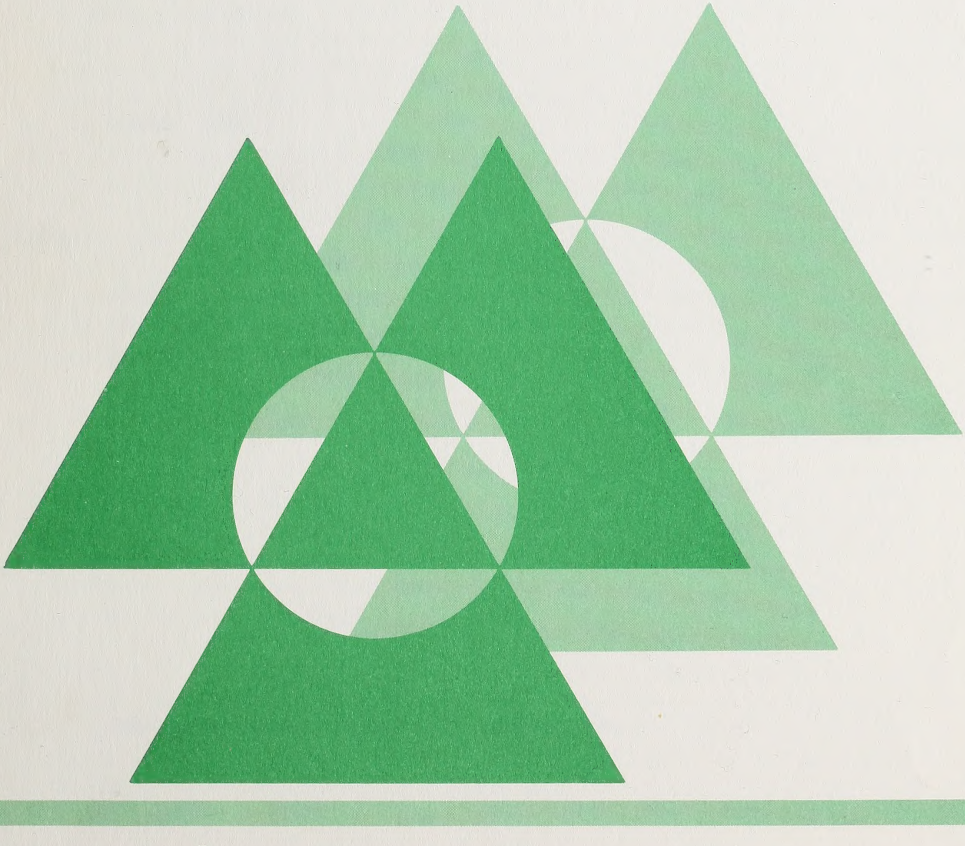
Environment and Development: An NGO Viewpoint



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Environment Council of Alberta

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Environment and Development: An NGO Viewpoint

Presentation to the World Commission on Environment and Development

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This presentation is made on behalf of the Environment Council of Alberta (ECA), an independent provincial Crown corporation. Though the ECA is supported by the Province of Alberta, we do not speak on the Province's behalf. Instead, we provide the Commission with a viewpoint shaped by public hearings on matters of environmental concern in Alberta (the hearings have covered topics such as: forestry and the environment, hazardous waste management, noise, agricultural land base, water management in the Oldman River) and by the views developed by the Public Advisory Committees (PACs) to the ECA. The PACs represent not only provincial environmental interest groups -- though almost all have members on PAC -- but also a wide range of organizations with a province-wide mandate. PAC has representatives from chambers of commerce, labour unions, farm organizations, professional organizations, cities and secondary education institutions -- some 124 organizations in all. These NGOs (non-government organizations) represent a broad spectrum of concern for matters of environmental conservation, falling fully neither in the camp of the developers nor in that of the conservationists. My presentation, therefore, accepts as a given that economic development and environment conservation are both essential goals.

The Council also believes that, though the react and cure approach to environmental problems has had some notable triumphs (the famous salmon returning to the Thames or the reduction of phosphorus in the Great Lakes), it has also been responsible for some unpleasant surprises (Waldsterben in Germany and Central Europe, the migration of leachate from hazardous waste dumps and desertification). I do not believe that I need convince you that anticipate and prevent approaches would be more effective, cheaper and more timely than conventional react and cure methods.

The major question that arises is: how can we increase the number of occasions when we can anticipate and prevent, and reduce the times when we are surprised?

An underlying assumption is that it is, or will be, possible to anticipate and prevent. This is a very large leap of faith based on a flawed and faulty information base. If it is not possible to predict with a reasonable degree of accuracy, if no assessment of risk is possible, if life is going to continue to be a constant series of surprises, then the anticipate and prevent approach is not an alternative.

Reasonably accurate risk assessment for new products, processes and developments is essential. If anticipate and prevent means to assume that every new development, product, or process carries an unknown or unacceptable risk of environmental degradation, we will be bogged in a continuing conflict between developers and conservationists. Disagreement about the level of risk is inevitable and productive. Conservationists are risk averse and developers are risk takers (though the risks may be taken with others' money and space). However, where one group maintains the risk is zero and the other considers that it is infinite, we have the classic description of a no-win situation.

There is a growing skepticism about technology and its handlers, the scientific community. In part this is due to misinterpretations of what science can and can not do. However, much of the distrust is due to the use of scientists as propagandists or as a security blanket. We have been assured too often that it is perfectly safe, that it is foolproof, that the risks approach zero, whether it is the space shuttle, Three Mile Island, lead in gasoline, migration of leachates or the lack of correlation between sulphur emissions and acid precipitation.

That science and technology will be able to do better in the future than they have in the past is an article of faith, not a surety. It is hoped that they will have the ability to predict and to assess risk, that they will generally speak the truth rather than act as apologists for the preferred actions of government or developers.

To achieve the appearance, as well as the reality, of independence and objectivity, the scientist researching, commenting or advising in the environmental field should not be beholden to government, industry or anyone who stands to benefit from either a higher or lower assessment of risk of environmental damage. This would disqualify a scientist either employed by, or with strong sympathy for, the environmental movement.

This is indeed a dilemma. Who can you trust? Who does not have an axe to grind, a point to make, a client to protect? What is needed is a research institute whose major interest is in its rectitude, its neutrality, its ability to tell the truth without fear of the consequences or the reactions of governments, industry or environmentalists. Such an institution probably would require foundation-type funding, from either so many sources that no one viewpoint dominated or with a clear provision that the dominant funder would be barred from a position on the institute's governing board. Operational models do exist in the consumer field. The testing laboratories of the Consumer's Union or the Consumer's Association of Canada are accepted by all as fair, unbiased and impartial. In another area, which is subject to dispute and controversy, the Economic Council of Canada has established a reputation for sound research not beholden to entrepreneurs, unions or the government. No adequate counterpart exists in the environmental field.

It is clear that more good science and good scientists will have to be applied to environmental problems in the future. The glory of science in the 19th century and the first half of the 20th century was physics and, to a lesser extent, chemistry. The complexity of the natural sciences and ecology is orders of magnitude greater than that of the classic hard sciences. Indeed, it is only now that the tools and techniques at our disposal are complex enough, subtle enough, to pursue the elusive relationships that constitute ecology. More funds and more people will have to be invested in ecological and environmental sciences to enable us either to anticipate and prevent or to react and cure. Again it is an underlying article of faith that sources of funds and talents will be there.

Environmental Management within a Federal State

All federal states suffer from ambiguities that arise from the division of powers. In Canada these difficulties relate both to environment conservation and economic development. Environment and development have purely local aspects as well as elements that are national or international. Economic development needs water, sewers, transportation, schools, housing, and planning permissions that are normally granted locally, regionally or provincially. In addition, it needs access to markets, export credits and communications networks that are national or international in scope.

Similarly, the quality of air, water and soil has some purely local aspects and, in a few instances, pollutants have only a limited ability to migrate and affect others. Noise pollution is a completely local problem, though one that is universally experienced. However, in most instances, local actions have tremendous resonance either nationally or internationally. The area where pollution occurs experiences it first and in the most concentrated form. Other locations experience it later and as a dilute and incremental phenomenon.

Any division of constitutional or administrative powers in the fields of environment or development is going to be unsatisfactory. The establishment of your Commission is a recognition that the international aspects of environment and development are either neglected or are not being handled satisfactorily. Even in unitary states, there is great difficulty in finding the right roles and responsibilities for local governments, with regional and other local authorities responsible for everything from water supplies to industrial development.

Canada has one of the most decentralized of federal systems. The ownership of resources, minerals, soils, water, timber and wildlife rests with the Crown provincial. The provinces are the owners of the beds and banks of the lakes and streams, the owners of the water and the fish, but constitutional responsibility for the fishery is firmly in Federal hands. For inland fisheries, this has been mainly delegated to the provinces, though Orders in Council regulating the fishery are drafted by provincial staff and routinely passed by the Federal cabinet.

The Federal responsibility for the quality of waters frequented by fish has been the major base on which a Federal environmental responsibility has been erected. There is also the Federal responsibility for transboundary pollution, whether interprovincial or international, and the control through commerce or trade of polluting products or processes, ranging from the licensing of pesticides to the control of vehicle emissions.

During past periods of fiscal affluence and government expansion, there were attempts by the Federal government to stake out larger responsibilities in the environmental field. Though some interventionist legislation remains on the books, the high tide of Federal assertion of environmental responsibility has passed. The Federal government's environmental involvement is shrinking back to its primary responsibilities for transboundary pollution (acid rain, Great Lakes), leaving more responsibility for environmental protection to the provinces.

Since it is in each province's interests to have similar standards and objectives for pollution control, there is a remarkable uniformity of ambient quality parameters for air and water across Canada. There is probably a lesson for international agreements to be found in the separate and independent provincial standards for air and water, which are nevertheless remarkably similar. It is imprudent for a province that has a high level of concern to get too far in front of the pack. Standards that are notably higher than those of other provinces would tend to drive new industrial development away. Similarly the existence of provinces with excessively low pollution standards (pollution havens) confers an unacceptable developmental advantage over other provinces. There is, therefore, a tendency for the progressive provinces to chide the lagging provinces to improve their pollution standards and to exhort the federal government to exert its authority to bring the laggards up to standard. Since the laggards are frequently the client provinces (dependent on Federal largess of many kinds), there is some Federal clout to bring them in line. In addition, it is easier to accept the scientific standards developed primarily by the federal government rather than develop a set of standards of your own. The end result has been the adoption of a very similar set of pollution standards by 10 provincial entities that, in the matter of pollution control, are virtually sovereign.

There is some indication that, with the new government's commitment to economic development, there is a temptation to dispense with environmental standards, particularly for economic basket cases. Presumably the countervailing force of other provinces faced with the creation of de facto pollution havens and "unfair" threats to their own economic development programs will again apply pressure to bring the deviants into line.

There should be a fair level of support by developed, industrial countries for some minimum level of pollution control standards and enforcement. Where support is lacking in developing countries which feel unable to afford pollution control measures, what seems to be required is a forum for co-ordination and consensus building, with sufficient clout or influence to bring the recalcitrant into line. The forum for co-ordination presumably already exists in the UN's Environment Program. Your Commission is in the best position to identify its deficiencies and to suggest needed improvements.

Lacking is the clout to discipline persistent offenders that are unwilling to adopt generally agreed-upon minimum ambient air and water standards. It is assumed that no country wishes to have a polluted, unsafe and unhealthy environment. They adopt no or low standards to provide a competitive advantage in trade with others.

The lesson to be derived here is that one of the few legitimate situations in which advanced nations should apply exclusionary or countervailing custom duties would be when the competitor nation establishes unacceptably low ambient environmental standards to give its products a competitive edge. This is because, in the long run, it is impossible to contain pollution within the nation state. Atmospheric effluents are quickly dispersed to every corner of the globe. It may seem that discharges to water avoid these problems, but all discharges to water eventually end up in that common heritage of mankind and universal sink, the world's oceans. It may be possible to contain, within the nation state, the impacts of low levels of workplace safety, or non-existent minimum wages, but low environmental standards will result in both unfairly competitive goods and exported pollution, over a short time span for air emissions and a somewhat longer one for discharges into water.

There is a need for some form of international co-ordinating mechanism to examine ambient environmental standards and enforcement practices worldwide, particularly to identify conspicuous laggards -- countries with no or excessively low environmental standards.

Such laggards would be identified for the international community and GATT as attempting to achieve an unfair trading advantage through the medium of unacceptably low ambient environmental standards or lax enforcement and the resulting export of pollution beyond their boundaries. The excuse that Third World Countries need to be exempted from a minimum level of pollution control is not acceptable. It may be that they are justified in adopting competitive practices that are borne almost entirely by their own people, but there is no justification for adopting practices whose consequences spread beyond their boundaries.

In Canada, the federal government has identified standards for air and water quality parameters as desirable, acceptable and tolerable, with desirable the highest and tolerable the lowest. Perhaps the Canadian tolerable level could be accepted as an appropriate standard for universal international application. Perhaps the EEC or the World Health Organization have identified more appropriate minimum standards. The identification of an appropriate level for minimum environmental standards would require extensive international consultation, but the adoption of universal minimum standards for ambient air and water seems an essential first step and should be adopted within some minimum time line, say within 10 years.

This is not an action to be undertaken lightly. There probably are nations that would be only too anxious to develop countervailing duties against self-assessed pollution havens. It would be essential that this action take place under the overall umbrella of GATT and that support for its implementation be encouraged by the very countries identified as pollution havens. It is not credible that any country wishes to be a pollution haven; they feel they must in order to be competitive. There should be substantial local support for minimum standards, backed up by effective penalties that indicate that the search for comparative advantage does not lie in accepting deliberate degradation of the environment.

One further point: Canada provides aid to many countries in the developing world through CIDA (Canadian International Development Agency) and other programs. Federal expenditures in Canada are screened by FEARO (Federal Environmental Assessment Review Office). It would be too intrusive into the affairs of others to have a comprehensive Environmental Impact Statement (EIS) developed for every aid grant or export guarantee. However, the principle -- that the federal government should not be assisting projects, developments or products that could wreak havoc on the environment of the receiving nation -- should apply.

The full-scale EIS has its place, usually matched with a full-scale megaproject. But for most foreign aid programs, what is required is a modest examination whose principle criterion would be to "anticipate and prevent. An ecological assessment of each aid package is required, anticipating its impacts on the recipient country. There should be a rigid limitation on the length of such an assessment and its cost. I would suggest that, for programs under $1 million, the ecological assessment be no longer than one page, with a corresponding increase in the length of the report as the expenditure increased, i.e., $10 million -- 10 pages, $100 million -- 100 pages. The credibility of the environmental impact assessment process was seriously harmed by consultants who produced three-foot stacks of reports, listed every bit of environmental trivia and predicted nothing. The short ecological assessment should be focused on prediction (anticipation) and suggestions for prevention, including, for example, the requirement that a certain amount or percentage of the aid package be devoted to the rectification of the problems identified. Such an ecological assessment should accompany any request for Treasury Board or other central agency approval for aid.

Preconditions for Economic Development

The ability of modern industry and technology to adapt to clearly identified objectives is astounding. The latest example has been the adjustment of the world economy to energy price signals. Since 1973 the energy portion of a dollar of GNP has declined substantially. There were clear signals for the economy and technology that the same level of comfort or performance, but with substantially reduced energy costs, was required. These signals were provided by the pricing mechanisms and were responded to so effectively that current problems relate to oversupply, underconsumption and low prices.

There is no international pricing mechanism for pollution control or environmental protection. In the absence of detailed price indicators, some benchmarks or signposts of the qualities and elements of the environment that need to be respected, preserved or protected are essential.

The establishment of international standards for pollution control would be one element indicating to developers the effluent objectives considered minimal. The kind of guidepost provided by the World Conservation Strategy (WCS), which identifies the broad objectives that all development (whether industrial, service or resource) must adhere to, is also required.

Regional (Provincial) Conservation Strategies

The basic strategies of the WCS are clear and unassailable. The maintenance of essential ecological processes and life support systems, the preservation of genetic diversity and the achievement of the sustainable use of species and ecosystems are principles that should not be violated. They are objectives on which there is worldwide agreement. However, though a statement of objectives and goals is essential, a strategy must be translated into the actions, tactics and practical approaches by which the broad strategy can be achieved.

There are also likely to be other strategic elements, additional to those identified in the WCS, that are particularly critical to a nation or its component parts. Any political jurisdiction that has a responsibility for economic development and environment conservation would benefit from the development of a conservation strategy within the framework of the WCS. It is the best way for the goals and objectives of the WCS to be achieved. The identification and implementation of sustainable development, for example in the agricultural industry, implies detailed knowledge of local soils, climate, agricultural practices and equipment, markets, government infrastructure and, above all, the attitudes and capabilities of the local farmers. This knowledge does not and cannot exist at a global level. It may exist at a national level, if that nation is small, homogeneous and has only one major eco-region. In most nations, if such knowledge exists at all, it resides at the state, provincial or sub-national level.

A major attribute of a conservation strategy is the need to consider the conditions under which economic development can proceed while maintaining, or perhaps enhancing, critical environmental elements. The identification of these elements requires an intensive dialogue between the developer and the conservationist. Indeed, the ideal result is when the conservationist looks for ways in which development can be accommodated and the developer looks for approaches that will conserve or enhance important elements of the environment. Such an ideal blending of views cannot take place without meetings, discussions, arguments (often heated), compromise and accommodation on both sides. These discussions have to center on the actual kinds of development proposed or likely to be experienced in the local area. The dialogue should ideally be between the actual players -- the developers and their associations matched with the spokespeople for the conservationists, particularly non-governmental groups.

Many developers maintain a simplistic view of development and the environment. They believe all that is needed is to approach the appropriate government department, find out what the regulations and requirements are and meet them. That may apply in a totalitarian state, but it does not apply in a democracy. Every site, every proposal, every local situation has its own unique elements. The government regulatory authority can identify some part of the requirements and in simple cases perhaps all of them, but for proposals of larger scale or complex impacts, many conditions tailored to the local situation have to be met. A local conservation strategy will not identify all of the concerns of all of the elements that have to be considered (NIMBYs will always exist), but the major concerns will be identified and the major hazards (and many of the minor ones) can then be avoided.

There is another compelling reason to develop conservation strategies at the provincial, state or sub-national level, and that is the identification of strategic elements that are critical to local requirements. It is expected that all local conservation strategies will adopt the major elements of the WCS. However, in the initial work on the development of a Prospectus for a provincial conservation strategy for Alberta, three additional strategic elements were identified as critical. They are:

> To provide for the recreational, spiritual, aesthetic and other non-material needs of Albertans by maintaining and developing diverse opportunities for the use of natural resources.
>
> To maintain and improve the quality of life in the urban environment, where the majority of Albertans now live and work.
>
> To use and manage our non-renewable resources in the interests of developing a long-term sustainable economy for Albertans.

These elements may be unique to Alberta, but each jurisdiction will have some special characteristic that is important to them. It is essential that these elements be identified and subjected to intense scrutiny by people with diverse backgrounds and viewpoints to see if a consensus about them can be developed.

These elements form the signposts and identify the important objective that development should help to achieve and environmentalists will fight to protect. It is the accumulation of these real commitments at the grassroots level that will lead to the implementation of the World Conservation Strategy and to the integration of conservation and development. It is a mechanism by which anticipate and prevent approaches can be made operational at the local level.

It is recommended that the World Commission on Environment and Development endorse the rapid development of sub-national conservation strategies within the overarching framework of the WCS. In many nations the development of a national conservation strategy will also be critical. This would be particularly applicable to unitary states where the national government has virtually complete responsibility for matters of economic development and environment conservation. However, it is common practice, even in unitary states, to delegate some important aspects of environment and development to regional planning authorities, county or metropolitan governments, regional water authorities, industrial development authorities, etc. As long as they have responsibility for important aspects of environment or development, they would find that the development of a conservation strategy for their jurisdiction would enable them to anticipate and prevent, rather than react and cure.

There are important advantages to the development of local conservation strategies by non-governmental organizations in the first instance, though ultimately the local conservation strategy has to be endorsed and adopted by the appropriate local jurisdiction. Relying on non-governmental organizations involves the principal players in the debate between development and conservation -- the actual local developers or their representative organizations and the local conservation activists. It is by their getting together and discussing the local implications of, for example, "sustainable development," that real progress will be made. The normally designated governmental representatives, environmental departments and agencies, were established with a mandate to react and cure. It is the reason for their establishment and they are fully occupied with this massive and essential task. It is difficult, after having struggled to implement major programs (usually with some substantial success), to adopt and adapt to a new approach that has been identified by experts from away as being much better than what is being done now. Non-government organizations, since they do not have that commitment to the way things are done at present, are more open to alternative approaches.

Finally, let me emphasize the increasingly interdependent nature of our environmental problems. More and more we find that the solution to local environmental problems requires national and international co-ordination and co-operation. There has been an attempt to emphasize both aspects in this presentation. However, things get done at the local level. It is an accumulation of local decisions and actions, for good or ill, that results in acid precipitation, carbon dioxide buildup or the generally high standard of pollution control across Canada.

The key to local actions is to establish that what is being done locally is not just to help someone far away, though that is a charitable thing to do, but that by doing so, you help yourself.

For example, it may seem to the coal-fired electrical generators in the Ohio Valley that they are being pressured to reduce their sulphur emissions to benefit some people in eastern Canada who are really only interested in replacing U.S. coal-fired electricity with exported Canadian hydro. However, it is difficult to believe that the immediate neighbors to thermal plants really welcome the current levels of emissions, or that neighboring states will be willing to put up with their continuation. The local coal mines, under existing conditions, can look to a future of contracting markets, increasingly restricted to facilities which have no concern for the level of their emissions. For the coal mining industry of the Ohio Valley to become dynamic and expansive, they need a cure for the problem of acid precipitation just as strongly as do Ontario, Quebec, and the Maritimes, so that markets for their high-sulphur coal can be widened.

The key to the adoption of actions that will benefit others is the search for a local advantage to their adoption. This may sometimes have to be an advantage imposed from without, such as the avoidance of countervailing duties by the adoption of minimum ambient air and water quality standards, but the local advantage will always have to exist. The number of times it does exist will, I believe, be a pleasant surprise, but it must be actively sought out and then built upon.

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